

Notice of Allowability

Application No.

10/758,790

Examiner

Eric Hug

Applicant(s)

MCKAY ET AL.

Art Unit

1731

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to the communication filed on January 16, 2004.
2. ☒ The allowed claim(s) is/are 1-20.
3. ☒ The drawings filed on 16 January 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

DETAILED ACTION

Allowable Subject Matter

Claims 1-20 are allowed.

The following is an examiner's statement of reasons for allowance:

Reasons for Allowance

The following is an examiner's statement of reasons for allowance:

The claims are allowed because the prior art does not disclose or suggest treating a slurry of papermaking fibers with a softening composition comprising a softening active ingredient, an electrolyte, and a bilayer disrupter prior to depositing the fiber slurry onto a forming wire.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Many of the following references were cited by examiner in prosecution of parent case 09/586,270 and related case 09/413,578.

Hellsten et al (US 4,476,323) discloses quaternary ammonium compounds for the treatment of cellulose structures.

Tai (US 4,497,716) discloses a fabric softening composition comprising a quaternary ammonium compound, water, a polyhydric alcohol plasticizer, an electrolyte, and a non-ionic surfactant.

Haslop (US 4,793,943) discloses liquid detergent compositions comprising quaternary ammonium softening agents, electrolytes, and non-ionic surfactants.

Hutcheson (US 5,296,024) discloses a softening composition for paper comprising cationic softeners (amine compounds), a surfactant (polyoxyethoxylated tallow amine), salts such as sodium chloride, and water.

Harmalker et al (US 5,308,513) discloses a fabric softening composition comprising water, softening agents, nonionic surfactants (NEODOL), and salts for viscosity control.

Guenin et al (US 5,447,644) discloses a method of controlling the viscosity of fabric softeners using a non-ionic viscosity control agent and an electrolyte.

Sakata et al (US 5,498,350) discloses a liquid softener composition for clothes comprising polyhydric alcohol ester and cationized cellulose dispersed in water.

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Phan et al (US 5,543,067) discloses softening agents for use in cellulose materials, comprising a quaternary ammonium compound and a polyhydroxy compound.

Chauvette et al (US 5,562,649) discloses a process for making absorbent pulp products hydrophilic and soft by addition of a debonding material.

Wahl et al (US 5,747,443) discloses fabric softeners comprising quaternary ammonium compounds, glycols, water soluble calcium or magnesium salts, and a nonionic surfactant.

Jenny et al (US 5,753,079) discloses a softening composition with reduced viscosity by addition of a nonionic softening active ingredient.

Fiske et al (US 6,126,784) discloses a process for applying a softener to the surface of a fibrous web. The softener may comprise a bilayer disrupter.


Thebrin et al (US 6,228,223) discloses a softening composition for cellulosic materials comprising a quaternary ammonium compound, a nonionic surfactant, a glycol, and water.

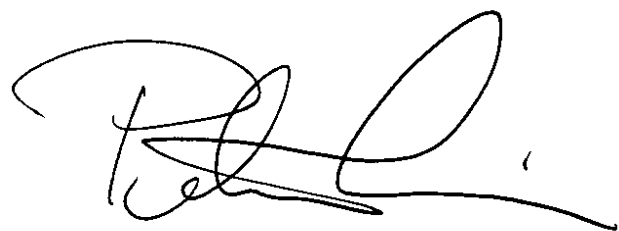
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Any inquiry concerning this communication or earlier communications from the examiner should be directed to Eric Hug whose telephone number is 571 272-1192. The examiner can normally be reached on Monday through Friday, 10:00 AM to 6:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Steven Griffin can be reached on 571 272-1189. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).


jeh



PETER CHIN
PRIMARY EXAMINER